UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

Criminal No. 4:08-CR-24-FL Civil No. 4:12-CV-80-FL

ANTWAINE TACOMA JOHNSON,)	
Petitioner,)	
)	
V.)	<u>O R D E R</u>
)	
UNITED STATES OF AMERICA,)	
Respondent.)	

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This the 18rh day of May, 2012.

/s/Louise W. Flanagan

United States District Judge